

S.C. SERVICE PROVIDER HOPWA GUIDELINES

Revised January 2007

The following information represents minimum standards for management of the HOPWA programs for DHEC HOPWA sponsors within the state of South Carolina.

HOPWA Guidance

Program description:

- HOPWA funds are designed to provide emergency housing assistance, defined as short-term rent, mortgage and utility payments, and supportive services for persons with HIV disease who are homeless or who are at risk of becoming homeless. HOPWA funds may be used to assist all forms of housing designed to prevent homelessness including emergency housing, shared housing arrangements, apartments, single room occupancy dwellings, and community residences. Appropriate case management supportive services must be provided as part of any HOPWA assisted housing, but HOPWA funds may also be used to provide supportive services independently of any housing activity in order to assist clients in accessing and/or maintaining stable housing.
- Short-term rent, mortgage, and utility (STRMU) payments are intended to prevent homelessness of the tenant or mortgagor of a dwelling. Clients who receive STRMU assistance must also receive HOPWA case management as a supportive service.
- Tenant based rental assistance is intended to provide long-term, stable housing to clients. For South Carolina HOPWA sponsors who are funded through DHEC, TBRA is provided through Fort Mill Housing Services, Inc. All clients who are in the TBRA program must receive HOPWA case management in an effort to ensure they maintain the stable housing they have established through the TBRA program.
- Permanent housing placement services may be provided in the form of rent and utility deposits for clients who are risk of becoming homeless. Clients who are provided with this service must also receive HOPWA case management.
- Supportive services include, but are not limited to, case management, mental health, assessment, drug and alcohol abuse treatment and counseling, day care, personal assistance, nutritional services, intensive care when required, and assistance in gaining access to local, State, and Federal government benefits and services. Use of HOPWA funds to provide any of the aforementioned supportive services must be outlined in the detailed budget and approved by DHEC at the beginning of the grant year.

- Case management as a HOPWA supportive service is to be provided to clients who have needs regarding establishing or maintaining stable housing. Therefore, whether case management services are provided in conjunction with STRMU or TBRA or outside of those services, it must include an individualized client service plan that contains a housing component describing 1) the client's housing need and 2) the activities developed to ensure the client will establish or maintain stable housing.

Eligibility Requirements for STRMU:

- Eligible persons must be HIV infected (In the event of a client death, a non-HIV infected household member may be eligible for HOPWA services.) and be low income or HIV infected and very low-income persons (as defined in the HUD generated County income charts that are updated annually), and have a documented emergency that creates a need for housing assistance for a short period of time.
- HUD defines a household as “a single individual or a family composed of two or more persons, for which household incomes are used to determine eligibility and for calculation of the resident rent payment. Caregivers and non-beneficiaries who resided in the shared unit are not reported on in the APR.” This definition set forth by HUD allows room for flexibility. DHEC requires each individual HOPWA sponsor agency to establish the definition for household for their agency. The definition being used should be clearly outlined in agency policies and procedures.
- In order to receive rental payments, persons must present evidence that they are the named tenants under a valid lease or that they are a legal resident of the premises. To receive assistance with a mortgage payment, the eligible persons must demonstrate that they are the owner of a mortgaged dwelling in which they reside. For utility assistance, the eligible persons must have an account in their name with a utility company or proof of responsibility to make utility payments, such as cancelled checks or receipts in their name from a utility company.
- Persons served must reside within the sponsor's service area, unless agreed upon by all serving sponsors. Documentation to that affect must be obtained.
- If a client reports no income, adequate documentation is essential. HUD accepts self-certification of no income only if there is no other means of verification available.
- HUD Fair Market Rent and utility guidelines do not apply to HOPWA short-term rental assistance, however agencies should keep rent reasonableness in mind when determining financial assistance.

- The eligibility of those clients who are admitted to the program should be determined by:
 - Obtaining signed applications that contain all information needed to determine eligibility, rent and income (HOPWA long form).
 - Obtaining third party verification or documentation of expected income, unusual medical expenses, and any other pertinent information. Verification includes tax and/or income statements, third party forms, letters, etc.
 - Obtaining verification of HIV status. Information on the HIV status of a client is confidential and must be maintained in a manner that guarantees confidentiality.
 - Assistance may be targeted or higher priority given to persons with greater needs, for example: eligible persons who are homeless or have very low family income.
 - Income must be re-examined at least annually.
- With respect to the surviving member or members of a family who were living in a unit assisted under the HOPWA program with the person with HIV/AIDS at the time of his or her death, housing assistance and supportive services under the HOPWA program shall continue for a grace period of one year following the death of the person with HIV/AIDS. The grace period may not exceed one year from the death of the family member with HIV/AIDS.

Eligibility Requirements for HOPWA Supportive Services

- Eligible persons must be HIV infected (In the event of a client death, a non-HIV infected household member may be eligible for HOPWA services.) and be low income or HIV infected and very low-income persons (as defined in the HUD generated County income charts that are updated annually), and have a need for supportive services that enable them to establish or maintain stable housing.
- Persons served must reside within a sponsor's service area, unless agreed upon by all serving sponsors. Documentation to that affect must be obtained.
- If an agency is providing HOPWA case management, the agency must have a way of differentiating between Ryan White Title II case management and HOPWA case management when documenting services in *Provide*.
- If HOPWA supportive services are provided outside of direct housing services, the supportive services must assist a client in establishing or maintaining stable housing.
- All clients receiving a HOPWA supportive service must have individualized service plans that contain a housing component. The housing component must be 1) descriptive of the client's individual housing need and 2) must describe the

- activities and strategies developed to assist the client in establishing or maintaining stable housing.
- All clients receiving a HOPWA supportive service must have contact with their case manager every 90 days at a minimum.
 - Case managers providing HOPWA supportive services must be able to document information regarding a client's contact with their primary care provider, the client's medical coverage, information regarding client employment situations, income and any other data required by the Annual Performance report (APR).

Designation of Clients for Entry or Admission

- All eligible HOPWA recipients of STRMU, supportive services and/or TBRA are considered "Entered" or "Admitted" into the HOPWA Program.
- In order for a client to receive any HOPWA assistance, the client must present with a housing issue and the sponsor must have documentation of assessment, eligibility determination, and case management intervention as required by HUD.
- For each client enrolled in any HOPWA service, the following actions are expected:
 - All clients receiving any HOPWA service must have individualized service plans that contain a housing component. The housing component must be descriptive of 1) the client's individual housing need and 2) must describe the activities and strategies developed to assist the client in establishing or maintaining stable housing.
 - All clients receiving any HOPWA supportive service must have contact with their case manager every 90 days at a minimum.
 - Case managers providing any HOPWA services must be able to document information regarding a client's contact with their primary care provider, the client's medical coverage, information regarding client employment situations, income and any other data required by the Annual Performance report (APR).

Designation of Clients as Continuing or Exiting

- Client assessments must be done at a minimum on an annual basis or as appropriate throughout the year. Each client enrolled in the HOPWA program at the end of the grant year must be assessed to determine whether he or she is continuing or exiting the program.
- Case managers will assess clients housing service needs to determine if client is to be discharged or remain in the program. Assessment will be done through service plan review.

- Each agency will establish the process for assessing clients throughout the year and at the end of the year.
- All clients active in the TBRA program must be designated as continuing as they are required to be in case management while they are participating in the TBRA program.

Sponsor responsibilities:

- Sponsors agree to comply with the maximum time period for short-term housing as mandated by HUD regulations: 21 weeks in a 52-week period calculated back 52 weeks from the dates of service of the present request for rent, mortgage and utility payments. For example, if a client presents on 10/15/01 with a rent request for the month of November the case manager reviews HOPWA assistance since 11/01/01. If the client has not exceeded 21 weeks in that 52-week period HOPWA assistance is permissible.
- Sponsors must establish and maintain documentation of agency HOPWA policies and procedures including the process for eligibility determination and providing referrals for housing (if applicable). These procedures should include but may not be limited to the following: HOPWA forms, documentation procedures (including electronic documentation), definition of “HOPWA Household”, process for STRMU approval, etc.
- Requests for extensions of the 21-week period will be forwarded to the HOPWA Project Officer via DHEC staff and will only be made on a case-by-case basis demonstrating documented need. If approved, appropriate documentation must be included in the client's record.
- STRMU will be provided and calculated as to weeks of service utilized on a 52-week period. Sponsors must have a way of recording the number of weeks used by each client and documentation must be kept in client charts.
- Dates of services will be calculated reflecting dates of service used. Example: a utility bill with a due date of Sept. 12, will probably use several weeks of service noted on the bill, possible from July – August, depending on billing cycle. This is true calculation of time used.
- Deposits for rent and utilities are provided under the category of Permanent Housing Placement and must be documented in that manner. Deposits may be paid one time per year within a sponsor's service area and do not count towards the 21 weeks of assistance. If that client moves to another service area, this may be waived with thorough documentation. Sponsors must make clear to the landlord when the deposit is paid that the reimbursement at the end of the lease

period must come back to the sponsor paying for the deposit. Documentation must show all due diligence for obtaining deposits back when the lease is concluded.

- HOPWA funds cannot be used to pay rent or utilities on HUD subsidized units (Section 8 or Public Housing) since HOPWA funds are also from HUD.
- Case managers will develop and assure a coordinated plan of care and attempt to maintain or establish stable housing for clients. This would include assisting clients who are not on disability to apply for disability, assisting clients to apply for public housing assistance such as Section 8 subsidies, public housing units, budgeting/financial planning, employment assistance, etc., and assisting clients to apply for housing at community residential care facilities and/or long-term care facilities.
- Sponsors should conduct an ongoing assessment of the housing assistance and supportive services required for participants in the program, as part of the larger RWCA needs assessment. Sponsors must also assure adequate provision of supportive services to participants and offer case management to each participant. Sponsors must also comply with HUD reporting requirements as listed in the Annual Performance Report. (See *Provide Addendum* for detailed Reporting Requirements)
- Rent payments to individual landlords cannot exceed \$600 gross for the calendar year unless a tax identification number is provided. Sponsors are responsible for completing 1099 annually for individual landlords receiving rental payments in excess of \$600 annually. Mortgage companies, property management companies, and real estate companies are not required to provide these numbers.
- Per Federal requirements, sponsors will provide and/or facilitate the acquisition of a battery-operated smoke detector for each household. Clients will verify receipt of a smoke detector during the HOPWA application. Clients are responsible for maintenance and installation.
- Sponsors will provide information on the dangers of lead paint in the home to each household with children under 7 years of age. Clients will verify receipt of this information during the HOPWA application.
- All sponsors will maintain supporting documentation showing that case managers who are funded through the HOPWA program are providing services in proportion to the level of funding designated to their position. For example, if a case manager's salary is funded 40% through the HOPWA program, that case manager should be able to document that 40% of their time is spent providing HOPWA supportive services.

Reporting and record keeping requirements:

- Using *Provide* – Program Enrollment Housing (see *Provide* Addendum)
- Case managers will develop and assure a coordinated plan of care and attempt to maintain and or establish stable housing for clients. Service plans will be maintained in *Provide* and/or client files. Each sponsor may determine if case management service plans will be written to include a housing component, or a separate individual housing care plan will be created to address housing issues singularly.
- HOPWA transfers for eligible persons moving outside of the service area can be facilitated through *Provide* software reporting system and other forms of documentation (if applicable) and must be done to insure that services remain within accepted guidelines for services available.
- Sponsors must insure compliance with HUD reporting requirements. An Annual Performance Report (APR) will be submitted for the HOPWA program year, which is April 1 -March 31. Reports will be due to DHEC by April 30 each year. Additional reports to monitor and/or report HOPWA data may be required throughout the funding period. Forms for the report will be provided by DHEC. The report will include demographic information about individuals and families assisted with HOPWA funds, client outcomes, administrative costs charged to the program and costs for emergency housing assistance, and supportive services, including staffing costs.
- Sponsors must maintain records for six years beyond the end date of contract. Records include financial records, client records and accurate data on the race/ethnicity of program participants. Sponsors must make available to HUD for inspection financial records to ensure proper accounting and dispersing of HOPWA funds. These records will be monitored on an ongoing basis by DHEC and are subject to an annual review by HUD.

Program review:

- Financial Management: Financial records may be reviewed to assure compliance with requirements of the Common Rule (24 CFR Part 85) and OMB Circular A-110. The records should provide accurate, current and complete disclosure of financial results. Records must identify the source and use of funds and must be supported by invoices and other source documentation.
- Program Progress: Review progress in providing mortgage, rent and utility payments, providing supportive services and expending funds.